

Introduced by Senator Harman

May 10, 2010

Senate Concurrent Resolution No. 108—Relative to federal immigration policy reform.

LEGISLATIVE COUNSEL’S DIGEST

SCR 108, as introduced, Harman. Federal immigration policy reform.

This measure would exhort the Congress and President of the United States to exhibit responsible leadership by enacting comprehensive immigration reform; develop a fair, purposeful immigration reform solution that controls the country’s borders and the costs to state and local governments; preserve the paramount importance of lawful immigration to our culture, economy, and future; and balance the need for secure borders and sound residency requirements with America’s fundamental values.

Fiscal committee: no.

1 WHEREAS, The federal government possesses exclusive
2 authority to establish and enforce rules, regulations, and procedures
3 relating to naturalization and immigration pursuant to Section 8
4 of Article I of the United State Constitution, the Sixth Amendment
5 to the United States Constitution, and over 100 years of Supreme
6 Court precedent; and
7 WHEREAS, The federal government has persistently ignored
8 the pressing need for comprehensive immigration reform, a failure
9 the sitting President admitted recently by saying, “Our failure to
10 act responsibly at the federal level will only open the door to
11 irresponsibility by others”; and

1 WHEREAS, The federal government has established various
2 mechanisms to reimburse states for certain costs of undocumented
3 immigration, but for years has reimbursed only a fraction of these
4 costs to California and other states; and

5 WHEREAS, Individual states cannot long sustain the fiscal
6 instability resulting from current federal immigration policy, nor
7 afford to wait indefinitely for the fulfillment of the promise of
8 comprehensive immigration reform at the federal level; and

9 WHEREAS, The federal government's failure to implement
10 sound immigration policy or enforce existing federal law
11 encourages frustrated states to craft their own ad hoc policy
12 solutions for undocumented immigration, an approach that
13 potentially raises constitutional concerns, incites socially and
14 racially divisive rhetoric, and creates a divergent patchwork of
15 immigration law provisions; and

16 WHEREAS, Throughout the history of the United States, the
17 continued prosperity and vitality of the country has been made
18 possible through the courage, dreams, and toil of immigrants from
19 around the globe, and the federal government's failure to establish
20 and guide an accessible, reasonable, and fair immigration process
21 undermines the values upon which America was founded; now,
22 therefore, be it

23 *Resolved by the Senate of the State of California, the Assembly*
24 *thereof concurring*, That the Legislature of the State of California
25 exhorts the Congress and President of the United States, on behalf
26 of California residents, to exhibit responsible leadership by
27 enacting comprehensive immigration reform; develop a fair,
28 purposeful immigration reform solution that controls the country's
29 borders and the costs to state and local governments; preserve the
30 paramount importance of lawful immigration to our culture,
31 economy, and future; and balance the need for secure borders and
32 sound residency requirements with America's fundamental values
33 and our responsibility to welcome with open arms "huddled masses
34 yearning to breath free"; and be it further

35 *Resolved*, That the Secretary of the Senate transmit copies of
36 this resolution to the author for appropriate distribution.